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May 16, 1999

Dockets Management Branch (HFA-305)  
Food & Drug Administration  
5630 Fishers Lane Room 1061  
Rockville, MD 20857-0003

RE: Docket Number 98N-1265

To the FDA:

Although the below text is from a form letter, I have been made aware of the travesty that would occur if the reference "memorandum of understanding" were to be approved. This appears yet to be another example of an attempt to protect the turf of large corporations, and limit the rights of small companies and individuals. As such, it is an affront to the concepts of freedom and individuality upon which this nation was founded.

I send this letter as a consumer of health care services to register my concern and disapproval of the Memorandum of Understanding as published by the FDA on January 21, 1999.

In its present form, the MOU, as well as the Compounding Section 503A of the Modernization Act, severely restricts the rights of the physicians and patients to obtain healthcare products from the provider of their choice. It also infringes on the rights of compounding pharmacists to serve the public's medical needs. As a healthcare consumer there should be no restrictions to the delivery of compounded medication prescribed for me, regardless of where I live or travel. The MOU must be amended!!!

The FDA is an agency of the U.S. Government that purports to be the "watchdog" for consumer safety. THIS IS NOT A SAFETY ISSUE!! As a governmental agency, the FDA also has a responsibility to be accountable to the people.

Signed:



David W. Van Harn  
Resident of San Rafael, California

98N-1265

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